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April 10, 2000



The Honorable Gary E. Walsh
Executive Director
Public Service Commission of SC
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc. Petition to
Establish Geographically Deaveraged Rates for
Unbundled Network Elements
Docket No.: 2000-0122-C

Dear Mr. Walsh:

Enclosed for filing please find an original and ten copies of the Response of BellSouth Telecommunications, Inc.'s to Motion to Bifurcate Issues and Establish a Separate Docket Filed by NewSouth Communications Corporation and Joined in by Trivergent Communications, Inc. in the above-referenced matter. By copy of this letter, I am serving copies of this document upon all parties of record.

Sincerely,

Caroline N. Watson

CNW/nml

cc: F. David Butler, Esquire
Elliott F. Elam, Jr., Esquire
John F. Beach, Esquire
Marsha A. Ward, Esquire
Darra W. Cothran, Esquire
Frank R. Ellerbe, Esquire
Mitchell M. Willoughby, Esquire
Francis P. Mood, Esquire

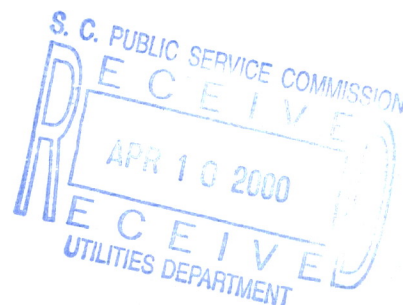
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BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2000-0122-C



IN THE MATTER OF:

BellSouth Telecommunications, Inc.
Petition to Establish Geographically
Deaveraged Rates for Unbundled
Network Elements and Network
Element Combinations



**RESPONSE OF BELL SOUTH TELECOMMUNICATIONS, INC. TO
MOTION TO BIFURCATE ISSUES AND ESTABLISH A SEPARATE DOCKET FILED
BY NEWSOUTH COMMUNICATIONS CORPORATION AND JOINED IN BY
TRIVERGENT COMMUNICATIONS, INC.**

I. INTRODUCTION

BellSouth Telecommunications, Inc. ("BellSouth") respectfully opposes the motion filed by NewSouth Communications Corporation ("NewSouth") requesting that the Public Service Commission of South Carolina ("Commission") bifurcate the issues in this docket and establish a new docket to address the pricing of certain unbundled network elements ("UNEs"). By letter dated April 7, 2000, Trivergent Communications, Inc. ("Trivergent") has joined in NewSouth's motion. For the reasons set forth below, as well as in BellSouth's Response to MCI WorldCom,

Inc.'s Motion to Exclude Direct Testimony, the Commission should deny the motions.

As noted in the Commission's Notice of Filing and Hearing dated March 9, 2000, BellSouth filed a petition requesting a proceeding to establish geographically deaveraged rates for UNEs and certain network element combinations. The Commission's Notice specifically states that network combinations were included "because there may be cost differences in both recurring and non-recurring rates when a competing carrier orders and BellSouth provisions certain network element combinations."

II. DISCUSSION

On March 6, 2000, BellSouth filed direct testimony and supporting exhibits requesting that the Commission convene a docket to deaverage existing loop rates and to establish and deaverage rates for certain combinations of network elements that involve use of the loop as previously stated. All parties appear to be in agreement that applicable rules of the Federal Communications Commission ("FCC") require that loop rates be deaveraged by May 1, 2000.

While acknowledging that loop rates must be deaveraged May 1, NewSouth and Trivergent contend that the Commission should refrain from establishing UNE combination rates on a "fast track" basis. Specifically, NewSouth asserts that if the

Commission determines UNE combination rates "on the current "fast track" basis, neither the Commission nor the interested parties will have a sufficient opportunity to complete discovery on pricing network element combinations, to respond appropriately with testimony, and to adequately prepare for a hearing before this Commission in April." NewSouth Motion, ¶ 3. Trivergent likewise asserts that "there has hardly been time for any party to determine whether BellSouth's cost studies contain "surprises." Trivergent has not had a full and fair opportunity to review and comment upon BellSouth's UNE combinations or the cost studies in support thereof." Trivergent letter, p. 2. It is respectfully submitted that the Commission should reject these pleas for delay.

As stated above, on March 6, 2000, approximately six weeks before the scheduled hearing in this docket, BellSouth filed its cost studies in support of its proposed UNE combination rates. Despite asserting that they have not had an adequate opportunity to review the cost studies, neither party has made an effort to obtain a proprietary version of BellSouth's cost studies. Specifically, as of the filing of BellSouth's response, NewSouth has not even attempted to obtain a proprietary version of BellSouth's cost studies. On April 5, 2000, Trivergent requested a proprietary version of BellSouth's cost studies. On the same day, BellSouth advised Trivergent that the requested

cost studies were available for immediate review upon execution of a proprietary agreement. As of the filing of BellSouth's response, Trivergent has not bothered to pick up the cost studies it now contends it does not have an adequate time to review.

In short, the Commission should proceed as scheduled in this matter and establish rates for network combinations that make use of the very same loop that the Commission must deaverage. Under Rule 51.315(b), BellSouth is required to make available combinations of network elements that are in fact combined in its network, including a combination of a loop and port (also referred to as "UNE Platform"), and must make these combinations available at cost-based rates. In this proceeding, BellSouth is proposing that the Commission establish cost-based rates for the UNE-Platform (and other network element combinations).

The cost studies BellSouth has submitted in this proceeding are the same basic cost studies that this Commission examined and approved in Docket No. 97-374-C. BellSouth has incorporated the Commission-ordered adjustments and has modified the studies to reflect the costs of combinations of network elements instead of truly unbundled network elements - adjustments and modifications that MCI WorldCom urged this Commission to order

in Docket 97-374-C. Thus, BellSouth's cost studies contain no "surprises."

BellSouth filed its cost studies more than a month ago. Even assuming discovery were necessary (which BellSouth does not believe is the case), NewSouth and Trivergent could readily have sought permission from this Commission to conduct such discovery or could have asked BellSouth to provide informally any necessary information, neither party has made such a request of this Commission or BellSouth.

III. CONCLUSION

For the reasons set forth above, the Commission should deny the motion bifurcate the issues and establish a new docket filed by NewSouth and joined in by Tivergent.

Respectfully submitted this __ day of April, 2000.

BELLSOUTH TELECOMMUNICATIONS, INC.

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STATE OF SOUTH CAROLINA)
) CERTIFICATE OF SERVICE
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The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused the Response of BellSouth Telecommunications, Inc. to Motion to Bifurcate Issues and Establish a Separate Docket Filed by NewSouth Communications Corporation and Joined in by Trivergent Communications, Inc. to be served by via facsimile and in the care and custody of the United States Postal Service, with first-class postage affixed thereto and addressed to the following this April 10, 2000:

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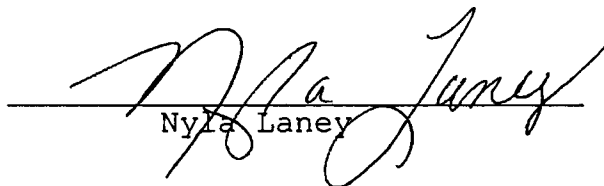
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